

1 *E-Filed 02/16/2010*

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

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13 UNIDAD DE FE Y AMOR
CORPORATION,

No. C 08-04910 RS

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v. Plaintiff,

15 ORDER DENYING MOTION TO
16 SHORTEN TIME

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IGLESIA JESUCRISTO ES MI REFUGIO,
INC; et al.,

18 Defendants.

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On February 2, 2010, the Court entered an order directing that no later than February 22, 2010, *either* (1) in compliance with the terms of their settlement agreement, the parties were to submit a stipulation for dismissal of this action, *or* (2) if no such stipulation were reached, then plaintiff was to file an appropriate motion to enforce the settlement agreement. The order further directed the parties to appear for an OSC hearing, on February 25, 2010 *if* neither a dismissal nor a motion to enforce the settlement agreement were filed by the deadline.

On February 12, 2010, plaintiff filed its motion to enforce the settlement agreement, thereby discharging its responsibilities under the February 2nd order, and relieving the parties of any

1 obligation to appear for an OSC hearing on February 25th. Plaintiff, however, has also requested an
2 order shortening time, such that its motion to enforce the settlement agreement can be heard on
3 February 25th, at the time previously scheduled for the OSC.

4 The motion to shorten time is denied. The motion to enforce the settlement agreement seeks
5 to compel defendants to comply with certain alleged obligations to provide various documents in
6 connection with giving a security interest, and to provide a fully-executed copy of the settlement
7 agreement, all of which plaintiff contends was supposed to have been done in October of 2009.
8 Plaintiff has made no showing of exigent circumstances to support hearing the matter on shortened
9 time, and specifically has not explained why a matter that has been pending for some four months
10 has now suddenly become urgent.¹

11 Plaintiff's motion to enforce the settlement agreement will be set for hearing on **March 25,**
12 **2010**, at 1:30 p.m., in Courtroom 3, Seventeenth Floor, of the Court, located at 450 Golden Gate
13 Avenue, San Francisco, CA. Opposition and reply papers, if any, shall be due at the times specified
14 in Civil Local Rule 7.

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16 IT IS SO ORDERED.

17 Dated: 02/16/2010



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

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25 ¹ Nothing in this order is intended to condone any unexcused failure by defendants to comply with
obligations they may have had under any enforceable settlement agreement. If plaintiff's recitation
of the facts and its understanding of the terms of the settlement agreement are correct, defendants
should fulfill their obligations forthwith, such that further Court involvement will be unnecessary.